

# **THE WILDEN**

**The Planning Commission has previously received some documents concerning this proposed project. All attachments to this sheet are being distributed for the first time for consideration at the Commission's worksession on Tuesday, January 19, 2010.**

January 6, 2010

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**RE: Reply to City Comments on Special Exception  
Application, CCSSA**

Dear Ms. Cotellessa:

Attached is a reply to the Draft 12/21/09 City Comments on the CC South Senior Apartments, L. P. application for special exception. This reply also incorporates responses to items we were unable to address last week.

The format I used is to insert responses immediately after each comment in italics with the new date.

Sincerely,

*James Eby*

James Eby  
Senior Project Manager

Encl: Annotated City Comments Letter, REV 1

**REVISION LETTER OF JANUARY 6, 2010.****Preliminary Summary of Comments on FCHC Application**

1. TIA scope/execution is acceptable (Department of Development Services (DDS) & Department of Environmental Services (DES)).

*Noted.*

2. Parking study scope/execution is acceptable (DDS & DES).

*Noted.*

**DDS (Planning and Zoning) Initial Review**

1. Application references compliance with vision and goals associated with City Center, but subject land area is in Area 6—South Washington Street Corridor. Analysis needed regarding proposed development's relationship to Area 6.

*While the subject land area is in Area 6, it is adjacent to Area 5 and has its face on Fairfax Street and South Maple despite its current South Washington Street address. Given that, we anticipated the our project design would need to be tailored to meet the future land use goals for the Area 5 as the center of future development in Falls Church.. The site also complies nicely to visions and goals for Area 6 – South Washington Street Corridor. Its orientation is toward Virginia Village Apartments, and is within a largely commercial area. Therefore,ts mixed-use nature provides a smooth transition from residential to commercial activities. About Area 6 the Comprehensive Plan states: "Parking in this area is currently used inefficiently". Our project provides responsible levels of parking, structured within the footprint of the building. The Wilden will also meet the goal for high density in the area, as it will be one of the most dense developments in all of Falls Church upon its completion and will be physically linked to the City's downtown and proposed City Center location.*



2. Should reconsider name of project as neither located in nor developed in association with City Center project.

*The project is now called "The Wilden"..*

3. Reference in the application is made to "overall redevelopment of the 350, 360 and 370 South Washington Street site" with no site control or larger plan evident.

*We have site control of the 370 site only through the end of this year. After that, it is true that we will have no formal site control of the adjacent properties. We continue to discuss redevelopment options with Homestretch, potential business partners, and property owners on redevelopment of the 360, 370 and, also, other adjacent sites. This Fall we did commission and shared with City staff conceptual plans for a larger redevelopment. We will seek a meeting with the equitable owner for 360 when that owner's identity is revealed. We, too, wish to see a more comprehensive neighborhood redevelopment occur.*

4. Is the project for seniors and seniors with disabilities only or does it include disabled persons of any age?

*We can elect the option under the Fair Housing Amendments Act of 1988 to designate the building as age-restricted housing at age 62 for all residents. This age-restriction exemption to the Fair Housing Act has rules regarding exceptions for persons not meeting those age limits. We need to study our options further and consult with the VHDA, before answering this question definitively.*

**Added 1/6/10:** *We have sought advice from a legal expert in this area of fair housing law. It appears that we have two options. Option 1 is to declare the building for residents age 62 or older. Under this declaration, all residents must be age 62 or older, no exceptions. Option 2 is to declare the building for residents age 55 or older. Up to 20% of the residents do not have to meet this age threshold under this option. We are also advised that we may set an age restriction higher than age 55 under this option. For instance, we could set the minimum age at 62. This option, whether set at age 55 or some higher age limit would not preclude disabled persons of any age. Our partnership meeting on this matter was postponed until after the deadline for this response, today, to the City. We will inform you of which option we have selected as soon as possible.*



*All apartment units will be designed to meet universal design standards and 10% of Apartment units will be designed to full ADA/ UFAS compliance.*

5. Does “no impact on schools” preclude seniors from living in the complex who are parents or legal guardians of school aged children or who are living with family members who have children?

**Revised 1/6/10:** *Under the 62 or older age restriction election, if we choose this option, all residents must be 62 or older. However, if we choose the age 55 or older option, we can make exceptions for handicapped or disabled persons. See response to comment 4 for more detail.*

6. Will universal design principals be employed for all the units so that they are accessible? If not all, then how many units will be accessible?

*All apartment units will be designed to meet universal design standards and 10% of Apartment units will be designed to full ADA/ UFAS “504” compliance.*

7. There are several statements in the application about the need for affordable senior housing without documentation or source materials, such as:

- A. Page 1 Tab D states that our demographic patterns indicate an increasing number of persons over 65, many of whom are rent overburdened with HH costs that exceed 30% of income...source?

*This statement refers to the fact that the City of Falls Church had 1,278 people over Age 65 in 2000 (representing 12.32% of its population), 1,621 people over Age 65 in 2009 (a 26.8% increase from 2000, representing 14.39% of its population), and is projected to have 1,959 people over Age 65 in 2014 (a 53.3% increase from 2000, representing 16.63% of its population). The source is TRF Policy Map (<http://www.policymap.com/>) a tool used by municipalities and nonprofits as a source of data for Policy decision making. TRF PolicyMap utilizes Census Data and Claritas Data into its system.*

*This data is backed up by the Falls Church Comp Plan Demographic Data, which shows an increase in age 65 population from 5.7% in 1960 to 12.2% in 2000.*

*(<http://www.fallschurchva.gov/Content/Government/Departments/DevelopmentServices/CompPlan.aspx?&cnlid=767>)*

B. First paragraph on Page 1 of Tab D2...reference?

*The source for demographic data and rent burden data comes from TRF Policy Map. Demographic data also comes from the Falls Church Comprehensive Plan. TRF PolicyMap is a tool used by municipalities and nonprofits as a source of data for Policy decision making. TRF PolicyMap utilizes Census Data and Claritas Data into its system. The reference for the information on Rental Housing stock is provided by Market Analyst Professional Organization Allen & Associates Consulting, Inc., (<http://www.allenappraisal.com/about.htm>), a regional leader in market studies and appraisals for affordable housing.*

C. Page 3 Tab D2 states that proposed development is "critically needed...to balance out the inordinate number of expensive housing options now out of reach for the majority of Falls Church retirees."...source?

*This statement was unintentionally slightly inaccurate. It refers to the % of Falls Church Renters over Age 65 (not retirees) who were considered Cost Burdened (spending more than 30% of their household income on housing). 2000 Census Data shows that 52.08% of Renters Age 65+ were Cost Burdened. The source is TRF Policy Map, a tool used by municipalities and nonprofits as a source of data for Policy decision making. TRF PolicyMap utilizes Census Data and Claritas Data into its system.*



- D. Page 4 of Tab D2 states City HHS staff have recently identified a present day 262 unit supply 'gap' in rental units available to those in or below the 60% of area median income (AMI) earning capacity.

Reference?

*2007 Council Retreat: AH Needs Report*

Is this gap specific to seniors?

*No—proportional to population and income levels*

If not, is there an estimate for the percentage of seniors impacted by this gap?

*Consolidated Plan 2006; awaiting HHS Consolidated Report 2010*

8. Source of "new urban" standards referred to on Page 1, Tab D2?

*Congress for the New Urbanism (<http://www.cnu.org/charter>) and New Urbanism.Org (<http://www.newurbanism.org/newurbanism/principles.html>)*

9. Sustainable green design standards? Should be driving the building design and not evident in the architecture or descriptions. Green charrette...when?? Green roof to be vegetated (versus high reflectivity or solar panels)...Tab D Page 3 describes quality/sustainable design and high quality living environment...are you anticipating developing the green roof as useable space for tenants? Clarify intentions regarding EarthCraft Homes multifamily-VA and Enterprise Green Communities.

*The building will be designed to comply with the Earthcraft VA and Enterprise Green Communities standards for green multifamily buildings. A Green Charrette for our design, construction and owner team is scheduled for January 12<sup>th</sup>, and it will be facilitated by a Certified Charrette Facilitator. The charrette will set the path on our integrated approach to green building. There is no one prescribed route to achieving green building goals, and green building approaches will not necessarily be apparent in the exterior architecture.*



*We have not decided yet if the green roof will be accessible to tenants, but we have shown the stairway extension and the elevator extension on the schematic drawings in case we do extend them to the roof.*

10. What are the “community services and administrative office spaces” on page 2 of Tab D? Services for solely the residential community of the building? Services administered to a broader clientele? Are proposed administrative office spaces for the community services or management of the residential building?

*The submission did not include floor plans, so let us describe them. The community spaces proposed on the ground floor include a fitness room facing Fairfax Street (moving left on the façade from the commercial space at Maple and Fairfax). We may allow the commercial space tenant staff use of this facility as an amenity for its employees. This space has a door to the street as well as internal access. Next, moving left again on the Fairfax façade, is the administrative office suite for the building’s property management and resident support services staff. To the left of the apartment entry on the Fairfax façade is the community room for the residents, with a door onto Fairfax Street and the porch area there. We are open to use of our project’s community spaces by the wider community if the user can acquire sufficient parking in connection with the event or use.*

11. Proposed 1800 s.f. of first floor commercial space...should be subject to development condition specifying permitted, preferred or prohibited uses. Built as commercial shell only? Constructed with venting to allow for restaurant? Restrooms made available?

*We have no specific tenant identified for the space. We do note that we have very little frontage on Maple Street. Our building frontage is oriented more onto a sort of side street, which is also not a through street, which we think makes office use the most likely tenancy we will attract. Nevertheless, the space will be designed as flexible “white box” space, with the ability to install the sorts of restroom and other facilities needed by the end user. Our program statement prepared by us for the architect some months ago does include provision for a vertical chase to the roof to allow venting sufficient in size to cope with a restaurant use.*

*If we find a commercial tenant which would come under a more intensive parking requirement than the office space requirement we have accommodated in our garage, we recognize that we may have to acquire additional off-site parking in that instance or seek another type of accommodation from the City. Therefore, we prefer that the Special Exception be silent on permitted or preferred uses. If a use is permitted in the district, and we can meet City code requirements for it, we would expect to be allowed to bring in that commercial tenant.*

12. Confirm that transformers will not be located in a yard abutting a street and that they will be screened from pedestrian view.

*Representatives of the owner, architect and civil engineer have met with Virginia Power on this matter. The transformer is currently located toward the center of the site on the 370 property. A utility easement allows for use on the 350 site. The intent is to keep the current transformer at the current location, improve screening and maintain service for the two remaining, existing buildings and our new construction.*

13. Parking:

- A. How will guest parking be managed (e.g. to support the spaces “designed to allow for intergenerational activities so seniors can have areas to entertain and enjoy family activities”)

*The .5 (1/2) space per unit ratio covers all uses for the senior housing. The parking study looked at comparable projects’ actual parking during the day from whatever use—resident parking, visitors, staff, and so forth.*

*The exact technology has not yet been determined, but our plan in general is to have a secured parking garage with the six spaces for the commercial user marked “reserved” and the rest open to parking for the residential use. Visitors will need to pick up an entry card or otherwise be “buzzed in” to the garage. Residents with cars will have an entry card.*



- B. Page 1, Tab D1 states that all residents are expected to be eager and necessary users of public transportation systems,” and that “many residents will not own automobiles.” Is there data supporting the use of mass transit by *[low income 62+]* seniors that will support parking reductions? Is there data to address the issue that while residents may not use cars frequently, they may own a car that they wish to store onsite?

*We do not permit stored vehicles, and in talking to TCB's property management department, our development staff learned that we do have methods to identify and deal with stored or abandoned vehicles and otherwise regulate parking via the lease.*

*Given that our Parking Demand Analysis was scoped particularly to account for all uses, we believe that we will not encounter such problems. However, we will carefully consider these potential outcomes when crafting lease arrangements with both residential and commercial tenants.*

- C. How will parking spaces be distributed among residents and how will parking be managed and enforced?

*See answer to 13A*

- D. Community space in building is set to be used “not only by the residents but for gatherings of other civic groups and for private events upon request”...how will parking for this community use be accommodated? What time are such gatherings expected and is off-site parking and shuttling projected?

*While we plan to be open and encouraging to community use of facilities both during the day and into the early evening hours in our building, the user will need to provide evidence that it has accommodated its parking needs at a reasonably convenient off site location.*



- E. How will parking be shared, separated or coordinated among the resident parking, building management and staff parking, and commercial space parking as well as visitors and care providers?

*See answer to 13A.*

- F. Is access reasonable to nearby bus stops and do the stops need improvement such as bus shelters?

*The nearest bus stop is located in front of 360 South Washington Street and can be accessed by using the parking lot/drive aisle from the site to South Washington Street in the same way it is currently accessed under existing conditions. It does not currently have a bus shelter. Per information that Walter L. Phillips has received from a (Washington Metropolitan Area Transit Authority representative, there are also bus stops at the corner of Annandale and S. Washington Street, at 439 South Washington Street, at 442S. Washington Street, and at 134 W. Broad Street.*

- G. Is a Transportation Demand Management plan proposed on site (TDM manager to help residents locate public transportation, call taxis, etc; car share or shuttle services—specify parking arrangements for these cars/shuttles). Do any of the projects used for comparison in the submitted parking study have shuttle services or TDMs

*We have asked Wells and Associates, who did the parking study, to respond to this question. The staff person we need to talk to is on vacation this week, so we plan to respond with our submission the week of January 4. Our support services plan will include TDM management on site.*

**Additional Information 01/06/2010:** *Wells and Associates were able to get in touch with each of the four facilities at which they performed the parking occupancy counts. Based on Wells' discussions with them, none of the facilities have a formal Transportation Demand Management (TDM) program or offer formal TDM-type services.*

*Parking ratios for all uses at the facilities came in at .5 spaces per unit or less despite the fact that none of these facilities offers much, if anything, in TDM assistance. The following is a list, by facility, of the information Wells gathered:*

- **Bates Heritage Park in Annapolis, MD** – According to the Bates representative, there is not a shuttle, an on-site person to help residents locate public transportation or call taxis or special parking for car sharing or shuttles. The representative did indicate that the adjoining Senior Center offers some of these services but it is not through the Senior Housing Facility. They currently are trying to get someone on-site (at the Senior Housing Facility) to offer some of these services because the residents don't fully utilize what the Senior Center now offers.
- **Hunter's Park in Arlington, VA** – According to the Hunter's Park representative, there is no shuttle and no special parking for car sharing or shuttles. The representative did indicate that they offer "Resident Services," which would help a resident find public transportation or call a taxi if a resident came to them asking for help.
- **Forest Glen in Centreville, VA** – According to the Forest Glen representative, their facility does not have a shuttle, special parking for car sharing or a person who helps residents find public transportation or calls taxis. The representative noted that the County does offer busing (Fastran) that can take residents to medical appointments, grocery shopping or other related activities.
- **Morris Glen in Alexandria, VA** – According to the Morris Glen representative, their facility does not offer a shuttle service or special parking for car sharing. They do not have a person on-site who helps residents find public transportation or calls taxis. The County shuttle (Fastran) will take residents to the grocery store once per week and to another major retail center (e.g., Wal-Mart) once per month.



- H. What steps are being taken to keep all required parking for 360 S. Washington open during staging and construction phases of this project? All parking will not be able to remain open/available.

*We recognize that we may need to provide off-site parking for the 360 building during construction. We will ask Walter L. Phillips and our selected contractor to help us determine a plan to keep as much of the parking at 360 accessible during the construction as possible and to help us determine the extent to which we may need to secure temporary parking in reasonable proximity to the 360 building.*

- I. Where are support columns being placed in the proposed parking structure and what size are they? Parking space size and drive aisle dimensions must be evaluated understanding this placement.

*Our parking plan is schematic and will need to be engineered. Our architect believes that we will be able to hold to 39 parking spaces after engineering is completed, but possibly not to the 40 spaces now shown. Our intent is to provide at least 39 spaces (33 for the residential use and 6 for the commercial office use).*

- J. Parking study submitted supports reduced parking requirements for affordable senior project (see questions on TDM). However, proposed mixture of uses needs to be factored into analysis.

*See response to item 13A.*

14. What is the expected increase in demand for senior programs and services provided through the City Community Center and HHS since the proposed development may attract seniors not currently residing in the City?

*We will not know for sure until we achieve initial rent-up. Our apartment rental marketing effort will focus on outreach to Falls Church. However, fair housing laws do not allow us to restrict the housing to Falls Church residents.*



*Our market study, which is being updated, may offer more information on the likely mix of tenants from the primary and secondary market areas. We will not have that report until later this month.*

*While we have not yet fully developed our senior services plan, we hope to work collaboratively with Falls Church City and with existing programs at Winter Hill to develop programs that efficiently align with current city programs and provide minimal impact to services infrastructure.*

15. Clarify the statement on Page 3, Tab D1 regarding the underground stormwater management system...how would the proposed system impact the percentage of permeable surface area being proposed?

*An underground stormwater management system is not required due to the decrease in impervious area provided by the green roof.*

16. What is the "low impact general office commercial use" referenced on Page 3 of Tab D2? Define.

*We mean an office space user which has minimal visitor traffic so that parking needs can be met in the garage with staff and visitor card access.*

17. Is the "plaza" proposed for Maple Ave as described on Page 4, tab D6 public or private space? Public access easement could be an appropriate development condition.

*The plaza noted is intended to be open to the public. We are prepared to discuss the pros and cons of a public access easement with the City to determine a final approach.*

18. Articulate maintenance responsibility for all streetscape, public access easement, open space areas, including details on materials.

*We anticipate that all areas located within the public right-of-way or within public easements would be dedicated to and be maintained by the City.*

19. Clarify requested waivers...provide justification and specify extent of the waivers (how far is the driveway from the adjacent R district; how much of a landscaping strip is being provided? Are there any mitigation measures proposed to offset the adverse impacts of the waivers. Note that these waivers are not currently part of the special exception process and must be approved by the Planning Commission at site plan.

*There are currently two waivers requested.*

*The first states:*

*WAIVER OF THE 10' LANDSCAPE STRIP FOR THE PERIMETER PARKING LOT LANDSCAPING ABUTTING TO ADJACENT PROPERTIES. THE PARKING LOT IS ON THE ADJACENT PROPERTY [SEC. 48-1181(2)(a)(1)].*

*There are two areas where this waiver is requested. One is along the property line abutting 370 South Washington Street, and the other is along the property line abutting 360 South Washington Street. In both cases, the existing parking lots are on the adjacent properties, and the development of the project site does not adversely affect the neighboring properties without the landscape strip.*

*The second waiver states:*

*WAIVER OF THE 100' DISTANCE BETWEEN A COMMERCIAL ENTRANCE AND A RESIDENTIAL ZONE [SEC. 48-938(d)].*

*The existing entrance off of South Maple Avenue does not currently meet the requirement for commercial entrances to be 100' from a residential zone. The waiver is needed because of the relocation of the entrance further down South Maple Avenue. The entrance is not adjacent to an R district, but it is*

*across the street, and less than 100' from the R-zoned property.*

*There is no portion along the site on South Maple Avenue where an entrance can be placed where it would be at least 100' from the residential zone. The entrance is being relocated for a better ingress/egress configuration. The existing situation of the three existing buildings and lot lines creates the need for the waivers for redevelopment.*

20. Architecture submitted is institutional, unimaginative, and unacceptable. Fenestration appears to be an afterthought instead of an integral part of the design. The building features do not relate to the Falls Church design guidelines



appropriately. First floor does not appear to relate to streetscape.

*We submitted a new architectural schematic plan set right before Christmas, as we as owner had similar concerns. The design guidelines do not address multifamily mixed-use buildings in much detail. We plan an informal meeting with the Architectural Advisory Board January 6<sup>th</sup> for their input and plan to work with the City on revisions to the building design that addresses this comment.*

21. Have the necessary off-site construction and grading easements been obtained and has agreement been reached with adjacent property owners on vacation and realignment of common infrastructure and access easements?

*No, but we recognize that we will have to do so. We have had continued dialogue with both adjacent owners during the evolution of our plan. We will now need to review the most recent plans with them. We believe we have the full support of Homestretch for our undertaking, and we expect few barriers to reach a formal agreement with Homestretch. We understand that the 360 building is under contract, and we look forward to working with the equitable owner in a similar manner, once we learn that owner's identity. The fact that we have completed a preliminary land development plan for the parcel will help in this process.*

22. The building does not appear to meet the minimum 14' setback from all streets, particularly on Fairfax Street.

*We are designed to set back 14' from the edge of travel way. This topic was discussed further at a meeting among the owner, architect, land planner and the City this week, and our team will have a further response the week of January 4.*

**Additional Information 01/06/2010:** *Antonette Aguilar of Walter L. Phillips, Inc., replied to this comment in an e-mail dated Dec. 30, 2009 to Suzanne Cotellessa. Our building was designed to meet the 14' street setback requirement from the curbline, as defined in the Zoning Ordinance as "the established line at the face of the nearest curb of the abutting public street. In the absence of a curb, the curbline shall be established according to the projected width of the street indicated on the major thoroughfare plan or, in the absence thereof, shall be determined by article V, division 6 of this chapter."*



*We believe any encroachments beyond the 14' setback meets the requirements of Section 48-1102(e) of the Zoning Ordinance. This section addresses building projections such as cornices, eaves, stairs, terraces, balconies, etc. It is our intent to meet both of these requirements with our proposed design.*

23. Landscaping: The conceptual plan/preliminary plan includes a tree inventory showing all existing trees to be removed and a general landscape plan with small plazas/garage roof landscaping/Fairfax St. streetscape. It does not provide a S. Maple Ave. streetscape with street trees, similar to the Pearson Square project. (*Note: City Arborist review is pending*). A waiver is requested for perimeter parking lot landscaping; technically, this appears to apply to the parking spaces on the east side of the building that serve the 360 S. Washington St. building from the access easement.

*See response to item 19*

24. Project must be viewed as stand-alone and examine how it fits into the current layout of the development in the triangle bounded by S. Washington, S. Maple and Fairfax. The south plane of the proposed building (not including stairwells or other projections) is shown at 20' from the north plane of the adjacent building at 360 S. Washington (the current separation is 30'). The main entrance to both 350 and 360 S. Washington are currently opposite one another. With the proposed construction, the primary entrance to 360 S. Washington will now be facing a rear elevation and stairwell for 350 S. Washington.

*The 360 building will face a rear elevation and courtyard. We have pulled our building back an additional 10' from the zero lot line to which we could build in a commercial zone context to create a planting buffer. Certainly, we can continue to work on the details of this area. We believe that what is adjacent to us is not what the City sees as the future for the 360 site, and we certainly expect this obsolete and underperforming building will not be the future.*

25. Fiscal Impact: This senior affordable housing project is expected to result in no positive fiscal impact to the City and, at the same time, minimal cost to the City on an annual basis. However, the fiscal impact model does not take into account the lost opportunity for more beneficial alternative development on this site, its potential for inclusion in a larger and more profitable consolidation, or even maintenance of the current revenue that may be realized from its use as an older office building.

*We state in the Application that this project brings to Falls Church a needed community amenity in the form of affordable senior citizen housing with minimal financial impact on the City. Our case on fiscal impact is made in the Application, and we have little more to note here. We think that looking at lost opportunity would be entirely speculative, especially in the current market. As noted earlier, our property primarily fronts a dead-end side street and takes up very minimal street frontage, maintaining the commercial viability of the 360 and 370 sites. Current revenue from the existing 350 building is certainly legitimate to consider in the impact analysis.*

#### **DES (Special Exception Requests)**

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1. DES requests that the developer locate permanent BMP (e.g., stormceptor, vortech) downstream of the project at existing outfall structures to serve the site during and after construction.

*In lieu of this we request that the City view our green roof and its impact on cleaning and holding storm water as our contribution.*

2. Locations of recycling bins and trash containers must be shown on the site plan in compliance with the City's recycling and solid waste guidance. Engineering review notes the inclusion of acceptable street cans along Fairfax St. Staff reserves the right to require relocation within the streetscape appropriate to expected use. Exact location will be finalized during site plan review.

*Agreed. We note also that a trash compactor and recycling room will be located inside the building envelope adjacent to the loading dock.*



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**DES (Reminders of Code Compliance Requirements)**

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3. Prior to acceptance by the City all street lights must meet the approval of the Director of Engineering and Construction.

*Agreed.*

4. All ROW dedication, offsite, and on site easements must be recorded prior to the approval of the site plan.

*Agreed.*

5. Prior to site plan approval proof of permission for all offsite grading areas must be in place.

*Agreed.*

6. Entrances must be designed in conformance with VDOT /FHWA access management guidance (i.e., dimensions, sight distance, ADA compliance, pedestrian crossing, and traffic signs).

*Agreed re: entrances that are a part of this application.*

7. During site plan review applicant must clearly delineate accessible route from drop off space along Fairfax Street into the building entrance.

*Agreed.*

8. Any storm sewer pipes and structure, carrying offsite drainage on the site, will require public easements, which must be recorded prior to approval of site plan.

*Agreed.*

9. An emergency access easement must be shown on the site plan and be recorded prior to as-built plan approval.

*Agreed. In initial consultation with our team we were told we need to locate existing easements and create an emergency easement under our overhang.*



10. Through site plan review applicant must comply with city and state requirements for stormwater management including: minimum standard 19, adequate outfall analysis, Chesapeake Bay requirements.

*Agreed.*

11. During site plan review, preliminary BMP computation must be updated to justify exact green roof area. Accordingly green roof specification, plant list, and maintenance agreement will be required.

*Agreed.*

12. Storm sewer pipes computation, plans, and profiles will be required during site plan review process.

*Agreed.*

13. On site photometric plan, street lighting plans, and details will be required during site plan review process.

*Agreed.*

14. E&SC preliminary plan must be updated to reflect the final design .Please note that if the planned disturbed area of 0.99 acre will increase to 1 acre you will require obtaining Virginia Pollutant Discharge Elimination System VPDE permit. Additionally, the type of soil shall be provided on the E&SC narrative with reference to the geotechnical report.

*The state policy has changed to lower the threshold to 2500 sq. ft., so a permit is required by our plan.*

15. Provide geotechnical report with site plan for engineering review.

*Agreed.*

16. Final review comments will be provided on revised Traffic Impact Analysis, Dated November 19, 2009, during site plan review process. *(Note that preliminary review has accepted scope and found submission acceptable)*

*Noted.*

17. Engineering staff notes that the parking study underway has not been submitted for review or comment. Staff reserves the right to comment on parking until the study has been completed and reviewed by City staff. *(Parking study was submitted subsequent to this comment at c.o.b. on 12/17 and has been reviewed by DES who found scope and submission to be acceptable).*

*Noted.*

18. Show location of bicycle racks and connecting route to the existing bicycle path.

*Agreed.*

19. Maintenance of traffic plan will be required prior to construction.

*Agreed.*

20. Provide a dust control measure or an alternative for dust control during construction

*Agreed.*

21. Performance and E&SC bonds must be posted prior to approval of the site plan.

*Agreed.*

22. Prior to issuance of Certificate of Occupancy proof of contracted services for refuse and recycling must be submitted for review.

*Agreed.*

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## **Fire Marshal**

*We note that the Architect, Land Planner and Owner have met with the Fire Marshal, and we will continue to coordinate during the design evolution.*

1. Provide location of internal stairwells.

*Agreed. Are you asking for this prior to building permit review?*



2. Show on site plan standpipe connections for fire attack lines.

**Revision 01/06/2010:** *Walter L. Phillips has left a message to the Fire Marshal requesting a conversation on clarification and coordination. Agreed to show the items mentioned on our plan.*

## Housing and Human Services

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1. Project meets the primary criterion for affordable housing exemption per the City Special Exception Ordinance.

*Noted.*

2. Previous research by HHS staff indicates that more parking is typically provided for comparable local projects. Multiple accessible parking spaces in excess of ADA requirements would be a plus.

*We will study this and reply in more detail the week of January 4<sup>th</sup>. Also, we are not certain that we can designate additional ADA spaces due to space restrictions.*

**01/06/2010:** *We are providing 4 accessible spaces for the residences, 1 for the commercial space, and 1 for staff, for a total of 7.*

3. Units designated for special needs seniors is more limited than previous discussions which addressed special needs housing for persons with disabilities (with no age limits).

*See response to item 4 in the first section.*

4. No fair housing concerns.

*Noted.*

## Utilities

1. Static pressure for proposed building will be between 55-65 psi. The available fire flow for the buildings is approximately 1,700. Typical water line easement is 15'. Either provide a 15' water line easement or provide justification for the proposed 10' easement.

*Agreed.*

2. Sanitary sewer has sufficient capacity to handle flow. Drainage fixture unit count on the existing building must be provided

*Noted re point one and agreed re point two.*

3. City requests drainage fixture unit (DFU) count on the existing building. If a count is not provided it will be assumed that the existing building has 30 DFUs for the purposes of calculating sewer fees.

**01/06/2010:** *As of today, we do not have this information in hand. We will provide the count to the City as soon as possible. If you are requesting this information in connection with an economic analysis, use 30 DFUs as a placeholder until we can provide the exact count.*

**01/06/2010 Correction to page 3, paragraph 1, Section D1 on community impacts:** *A statement from the prior application remained in the current (Nov. 20, 2009) application in error. Our current plan has neither porous pavers nor an underground storm retention system. The proposed green roof reduces the impervious area and runoff rates so they are lower than the existing site. Therefore, an underground system is not required. The green roof also meets Falls Church water quality requirements. Our site is underlain by a parking garage, so that porous pavers are generally not appropriate, although we can continue to study this in paved areas not underlain by the parking garage or other sensitive underground conditions.*





# CITY OF FALLS CHURCH

## INTEROFFICE MEMORANDUM

DATE: January 11, 2010

TO: Honorable Mayor and City Council

FROM: F. Wyatt Shields, City Manager *FWS*

SUBJECT: Bearing of the Court Ruling on the Financial Feasibility of the City's contributions to the proposed FCHC senior affordable housing project.

In light of the draw down in fund balance that has been caused by this year's shortfalls, now exacerbated by the recent court ruling in *FCWA v. City of Falls Church*, I have been asked to provide additional information about possible budget impacts of the proposed City financial contribution to the senior affordable housing project. At the Council's January 19 Work Session, the CFO will provide a mid year financial report, revised expenditure and revenue projections for the current fiscal year, and a revised projection on end of year fund balance.

This January 19 report will address the impacts of the court ruling, which we currently estimate to be an additional \$2.21 million shortfall for the General Fund in FY10 and FY11. This comes on top of the previous \$5.6 million shortfall for the current year, and projected \$7.5 million shortfall for FY11. We will discuss options for addressing this shortfall and a schedule for decisions. It is clear that the shortfall will require both large reductions in service accompanied and large increases in tax rates.

With respect the decision that is before the Council with respect to possible City financial support for the proposed senior affordable housing project, "The Wilden", the previously reviewed chart on the fiscal impact of the FCHC project has not changed in recent weeks. This memo will put that earlier information on City contributions into a clear context in terms of impact on fund balance and debt service policies first, and budget impact, second.

### *Budget Impacts:*

The FCHC senior affordable project will have very little impact on the General Fund in FY11. This is because both the tax exemption and the service costs from new residents will accrue to the City only upon completion of the project. Additionally, the debt service will come online in FY2012 and the initial two years of debt service, at least, will be absorbed by the Affordable Housing Fund. Building permit revenues will accrue in FY11, projected at \$67,000.

The larger fiscal impact occurs once the project is completed and the tax exemption goes into effect, and service requirements from the new residents accrue. In FY2014, we project that debt service for the proposed \$2 million loan would be picked up by the General Fund, unless developer contributions recharge the Affordable Housing Fund.

Accordingly, for the General Fund, we project the following budgetary impacts on the City Government. The budget impact is different than the overall calculation public subsidy.

FY2011:

|                       |              |
|-----------------------|--------------|
| Building Permits      | +\$67,000    |
| Tax Exemption:        | +\$ 0        |
| <u>Service Costs:</u> | <u>+\$ 0</u> |
| Total:                | +\$67,000    |

FY2012:

|                       |  |
|-----------------------|--|
| RE Tax Reduction:     | -\$35,000  |
| <u>Service Costs:</u> | <u>-\$39,951</u> (per the CRIM fiscal impact model.) |
| Total:                | -\$74,951  |

FY2013:

|                      |                  |
|----------------------|------------------|
| RE Tax Reduction:    | -\$35,000        |
| <u>Service Costs</u> | <u>-\$41,150</u> |
| Total                | -\$76,150        |

FY2014:

|                     |   |
|---------------------|---|
| RE Tax Reduction:   | -\$ 35,000  |
| Service Costs       | -\$ 42,384  |
| <u>Debt Service</u> | <u>-\$213,333</u> (assumes the Afford. Housing Fund is not "recharged") |
| Total               | -\$290,717  |

FY2015:

|                     |                   |
|---------------------|-------------------|
| RE Tax Reduction:   | -\$ 35,000        |
| Service Costs       | -\$ 43,656        |
| <u>Debt Service</u> | <u>-\$206,667</u> |
| Total               | -\$285,323        |

Assumptions:

- 1- 15 year loan to be repaid with interest
- 2- Service costs increase at 3%

*Fund Balance and Debt Policy Limits:*

The \$2 million dollar loan, if approved, can be financed through the issuance of debt by the City, and would accordingly have no impact on the City's fund balance. The impact on the City's debt limits can be quantified in the context of our policy limit of debt service not exceeding 12%



of annual expenditures. The City's current debt results in annual expenditures of \$5.1 million dollars, or 7.68% of expenditures. Issuing the \$2 million in debt will increase annual debt service by approximately \$180,000 depending on the interest rate achieved, and increase our debt service to expenditure ratio by 0.27%, up to 7.95%. Future capital needs identified by schools, libraries, public safety, currently contained in the CIP would exceed the 12% debt limit, per current projections.